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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,353	09/05/2001	Alfred Heinzl		3131

27187            7590            04/08/2003

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3651

DATE MAILED: 04/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. 09/857,353	Applicant(s) Alfred et al.
Examiner Rashmi Sharma	Art Unit 3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply  
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM

THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status  
1)  Responsive to communication(s) filed on Sep 5, 2001

2b)  This action is non-final.

2a)  This action is FINAL.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-20

is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_

is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_

is/are allowed.

6)  Claim(s) 1-4, 18, and 19

is/are rejected.

7)  Claim(s) 5-17 and 20

is/are objected to.

8)  Claims \_\_\_\_\_

are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892)

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6 and 7

6)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 1-4 and 18 -19 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuzoe (EP 0660655).

Matsuzoe discloses a transport system for small components, arranged in series comprising a chain having a plurality of chain links (2) having a through opening cavity formed therein having at least 2 walls where one wall is rigid and the opposite wall is resilient (see figure 1), a central web (center of 13) having resilient arms (either ends of 13) laterally extending therefrom and extending from the full height within the cavity. Matsuzoe also discloses the resilient arms having their upper ends being freestanding, the outside rigid wall having a slope (see figure 1).

*Allowable Subject Matter*

4. Claims 5-17 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

5. Any inquiry concerning this communication should be directed to Rashmi Sharma who can be reached at 703-306-5952 between the hours of 8:30 a.m. to 5:00 p.m. Monday through Friday.

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Any general inquiry concerning the status of this communication should be directed to the Group receptionist who can be reached at 703-308-1113.

A handwritten signature in black ink, appearing to read "Joseph E. Valenza". The signature is fluid and cursive, with "Joseph" on top, "E." in the middle, and "Valenza" on the bottom.

JOSEPH E. VALENZA  
PRIMARY EXAMINER